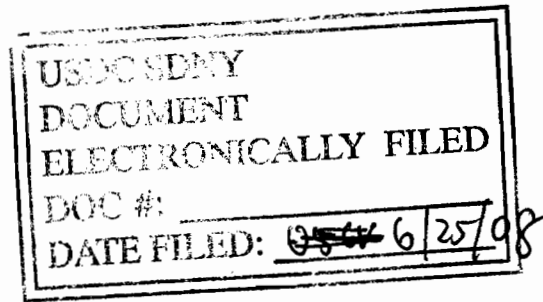


Michael J. Walsh (MW-6578)  
William F. Dougherty (WD-8719)  
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100 Park Avenue  
New York NY 10017-5533  
(212) 354-3800



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**CAPELLA SHIPPING LTD.,**

**Plaintiff,**

**-against-**

**CEMENT PLUS CORPORATION,**

**Defendant.**

**STIPULATION AND  
ORDER OF  
DISCONTINUANCE**

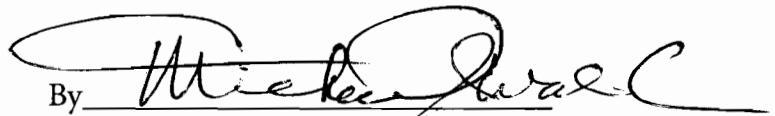
**08 CV 03110 (AKH)**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, by their undersigned attorneys, that the Plaintiff and Defendant have settled this action, now therefore:

IT IS HEREBY ORDERED, that this action shall be, and the same hereby is, discontinued with prejudice and without costs to either party as against the other.

Dated: New York, NY  
June 13, 2008

CAPELLA SHIPPING LTD.

By 

Michael J. Walsh (MW-6578)  
Burke & Parsons  
100 Park Avenue  
New York NY 10017-5533  
(212) 354-3800  
Attorneys for Plaintiff,  
Capella Shipping Ltd.

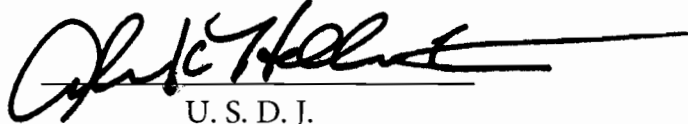
CEMENT PLUS CORPORATION

By 

James R. Koecher (JK-6683)  
Brown, Sims, P.C.  
Tenth Floor  
1177 West Loop South  
Houston, TX 77027  
(713) 629-5507  
Attorneys for Defendant,  
Cement Plus Corporation

SO ORDERED:

DATED: 

  
U. S. D. J.